

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST LITIGATION
(NO. II)**

**Case No. 3:23-MD-3071
MDL No. 3071**

**This Document Relates to:
ALL CASES**

Chief Judge Waverly D. Crenshaw, Jr.

**NOTICE RE DEFENDANTS' POSITIONS ON JURISDICTION, SERVICE,
ARBITRATION AND OTHER ISSUES**

Pursuant to the Court's June 1, 2023 order (ECF No. 243), the undersigned Defendants state their position on the following issues: (1) subject matter jurisdiction; (2) personal jurisdiction; (3) service of process; and (4) whether any named Plaintiffs are subject to arbitration agreements, class action waivers, or jury trial waivers.

1. Subject Matter Jurisdiction

Defendants do not contest subject matter jurisdiction, except to the extent required to enforce any arbitration agreements or to raise challenges to Plaintiffs' ability to demonstrate injury attributable to conduct by Defendants as required under Article III of the United States Constitution. Defendants reserve the right to challenge subject matter jurisdiction based on a failure to satisfy the requirements of Article III and/or to the extent Plaintiffs assert claims based on agreements that contain arbitration provisions.

2. Personal Jurisdiction

Defendants do not contest this Court conducting coordinated or consolidated pre-trial proceedings in the Middle District of Tennessee as ordered by the Judicial Panel on Multidistrict Litigation (“JPML”). The following Defendants reserve the right to contest personal jurisdiction and/or venue as to certain transferor courts as noted below.

- Allied Orion Group, LLC: D.D.C.
- AMLI Management Company: E.D. Cal., M.D. Tenn.
- Asset Living LLC: E.D. Cal., S.D. Fla., M.D. Tenn.
- AvalonBay Communities, Inc.: M.D. Tenn.
- BH Management Services, LLC: W.D. Wash.
- Camden Property Trust: E.D. Cal., D. Mass., E.D. Pa., W.D. Wash.
- Cardinal Group Holdings, LLC: W.D. Wash.
- CCIP Sterling, L.P. d/b/a Sterling Apartment Homes: M.D. Tenn.
- CH Real Estate Services, LLC: W.D. Wash.
- ConAm Management Corporation: M.D. Tenn., S.D. Fla.
- Cortland Partners, LLC: E.D. Pa., W.D. Wash.
- Cushman & Wakefield, Inc.: D. Ariz., D.D.C., D. Mass., M.D. Tenn., W.D. Wash.
- CWS Apartment Homes, LLC: M.D. Tenn.
- Essex Property Trust, Inc.: S.D. Fla., M.D. Tenn., E.D. Pa.
- Equity Residential: S.D. Fla., E.D. Pa.
- FPI Management, Inc.: M.D. Tenn.
- Highmark Residential, LLC: W.D. Wash.
- Independence Realty Trust, Inc.: W.D. Wash.

- Mid-America Apartment Communities, Inc.: E.D. Cal., E.D. Pa., W.D. Wash.
- Morgan Properties, LP: E.D. Cal., W.D. Wash.
- Morgan Properties Management Company, LLC: E.D. Cal., W.D. Wash.
- Park Towne Place Associates Limited Partnership d/b/a Park Town Place Apartment Homes: M.D. Tenn.
- Prometheus Real Estate Group, Inc.: M.D. Tenn.
- Rose Associates, Inc.: W.D. Wash.
- RPM Living, LLC: E.D. Cal., W.D. Wash.
- Sares Regis Group Operating, Inc.: M.D. Tenn.
- Security Properties Inc.: S.D. Fla.
- The Morgan Group, Inc.: M.D. Tenn., W.D. Wash.
- Thrive Communities Management, LLC: E.D. Cal., S.D. Fla., M.D. Tenn.
- ZRS Management, LLC: W.D. Wash.

3. Service of Process

Defendants¹ agree to waive service of process in the cases in which they have been named but not yet served.

4. Arbitration Agreements, Class Action Waivers, and Jury Trial Waivers

The below chart sets out the named Plaintiffs whom one or more Defendants currently believe are subject to arbitration agreements, class action waivers, and/or jury trial waivers. Defendants all intend to seek appropriate relief to enforce these agreements, including based on

¹ To the extent that Plaintiffs have misidentified or misnamed certain entities or named entities that do not exist, Defendants do not waive or accept service on behalf of those entities.

equitable estoppel, third party beneficiary, or some other theory. This chart reflects the information Defendants have been able to discover to date, mostly from an analysis of the cases in which Defendants have been individually named. Defendants are continuing their efforts to identify relevant leases and related documents and reserve the right to amend the information included on this chart.

In addition, while Defendants do not contest venue in the Middle District of Tennessee for coordinated or consolidated pre-trial proceedings as ordered by the JPML, some of the named Plaintiffs may have entered into agreements that include venue provisions. Defendants reserve the right to raise challenges based on whether venue lies in the transferor court at the appropriate time, if necessary.

Plaintiff	Arbitration Agreement	Class Action Waiver	Jury Trial Waiver
Matthew Alvarez	No	No	Yes
Lena Armas	Yes	Yes	Yes
Andrea Blum	No	No	Yes
John Bauman	Yes	Yes	Yes
Mary Bertlshofer	No	No	Yes
Hannah Blosser	No	Yes	Yes
Laura Boelens	Yes	Yes	Yes
Christopher Bohn	No	Yes	No
Destinee Sanders	Yes	Yes	Yes
Kim Carter	Yes	Yes	Yes
Meghan Cherry	No	Yes	No
Kimen Trochalakis	No	Yes	No
Zachary Miller Corradino	Yes	Yes	Yes
Samantha Taylor Reyes	Yes	Yes	Yes
Andrea Crook	Yes	Yes	Yes
Jeremy Enders	No	Yes	Yes
Michelle K. Godfrey	Yes	Yes	No
Ryan Daniel	No	Yes	Yes
Kenny Lai Cheong	No	No	Yes
Tiffany Mackie	No	Yes	Yes
Matteo Marchetti	No	No	Yes
MaryBeth Moore	No	No	Yes
Erik Barnes	Yes	Yes	Yes
Sherry Bason	No	Yes	No

Plaintiff	Arbitration Agreement	Class Action Waiver	Jury Trial Waiver
Gabriel Navarro	No	Yes	No
Barry Amar-Hoover	No	No	Yes
John Pham	Yes	Yes	Yes
Daniel Flowers	Yes	Yes	Yes
David Precht	No	No	Yes
Christopher Saloman	Yes	Yes	Yes
Tyler Kimbrough	No	No	Yes
Elaine Spencer	Yes	Yes	Yes
Selena Vincin	No	Yes	No
Phillip Mackie	No	Yes	No
Brandon Watters	No	Yes	Yes
Jeffrey Weaver	No	No	Yes
Kevin Weller	No	No	Yes
Yelizaveta (“Lisa”) Zhovmiruk	No	Yes	Yes

In addition, many Defendants also have agreements with putative class members that contain arbitration agreements, class action waivers, and jury trial waivers. Defendants in no way waive their ability to enforce these provisions, and hereby provide notice that they intend to assert defenses based on arbitration agreements, class action waivers, and jury trial waivers as to putative class members at the appropriate time. Defendants seek guidance from the Court on when such motions should be brought.

To the extent that further complaints are filed, including the Consolidated Amended Complaints, Defendants reserve the right to raise other challenges to service of process, subject matter jurisdiction (as qualified above), personal jurisdiction, venue, and/or on the basis of agreements to arbitrate, class action waivers, jury trial waivers, and venue-selection provisions.

DATED: June 7, 2023

Respectfully submitted,

/s/ Jay Srinivasan

Jay Srinivasan (admitted *pro hac vice*)
jsrinivasan@gibsondunn.com
Daniel G. Swanson (admitted *pro hac vice*)
dswanson@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: (213) 229-7430

Stephen Weissman (admitted *pro hac vice*)
sweissman@gibsondunn.com
Michael J. Perry (admitted *pro hac vice*)
mjerry@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, NW
Washington, DC 20036
Telephone: (202) 955-8678

Stephen C. Whittaker (admitted *pro hac vice*)
cwhittaker@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1361 Michelson Drive
Irvine, CA 92612
Telephone: (212) 351-2671

Ben A. Sherwood (admitted *pro hac vice*)
bsherwood@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 351-2671

/s/ Thomas H. Dundon

Thomas H. Dundon (BPR No. 4539)
tdundon@nealharwell.com
NEAL & HARWELL, PLC
1201 Demonbreun Street, Suite 1000
Nashville, Tennessee 37203
Telephone: (615) 244-1713

Counsel for Defendant RealPage, Inc.

/s/ Edwin Buffmire

Edwin Buffmire
ebuffmire@jw.com
Michael Moran
mmoran@jw.com
JACKSON WALKER LLP
2323 Ross Ave., Suite 600
Dallas, TX 75201
Telephone: (214) 953-6000

Kevin Fulton
kevin@fultonlg.com
THE FULTON LAW GROUP PLLC
7676 Hillmont St., Suite 191
Houston, TX 77040
Telephone: (713) 589-6964

Counsel for Defendant Allied Orion Group, LLC

/s/ David Kully

David Kully
David.Kully@hklaw.com
HOLLAND & KNIGHT LLP
800 17th Street N.W., Suite 1100
Washington, D.C. 20006
Telephone: (202) 469-5415

*Counsel for Defendant
AMLI Management Company*

/s/ Katie A. Reilly

Katie A. Reilly
reilly@wtotrial.com
Michael T. Williams
williams@wtotrial.com
Judith P. Youngman
youngman@wtotrial.com
WHEELER TRIGG O'DONNELL LLP
370 Seventeenth Street, Suite 4500
Denver, CO 80202
Telephone: (303) 244-1800

*Counsel for Defendants Apartment Income
REIT Corp., Park Towne Place Apartment
Homes, and Sterling Apartment Homes*

/s/ Rachel S. Brass

Rachel S. Brass
rbrass@gibsondunn.com
Caeli A. Higney (admitted *pro hac vice*)
chigney@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105
Telephone: (415) 393-8200

Kahn A. Scolnick (admitted *pro hac vice*)
kscolnick@gibsondunn.com
Madeleine F. McKenna (admitted *pro hac vice*)
mmckenna@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: (213) 229-7430

Counsel for Defendant Asset Living, LLC

/s/ Belinda S Lee

Belinda S Lee
belinda.lee@lw.com
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Telephone: (415) 395-8851

E. Marcellus Williamson
marc.williamson@lw.com
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington DC, 20004
Telephone: (202) 637-2200

*Counsel for Defendant AvalonBay
Communities, Inc.*

/s/ James Kress

James Kress
james.kress@bakerbotts.com
Paul Cuomo
paul.cuomo@bakerbotts.com
BAKER BOTTS LLP
700 K. Street, NW
Washington, DC 20001
Telephone: (202) 639-7884

Danny David
danny.david@bakerbotts.com
BAKER BOTTS LLP
910 Louisiana Street
Houston, TX 77002
Telephone: (713) 229-4055

*Counsel for Defendant Avenue5 Residential,
LLC*

/s/ Marguerite Willis

Marguerite Willis (admitted *pro hac vice*)
mwillis@maynardnexsen.com
MAYNARD NEXSEN PC
104 South Main Street
Greenville, SC 29601
Telephone: (864) 370-2211

Michael A. Parente (admitted *pro hac vice*)
mparente@maynardnexsen.com
MAYNARD NEXSEN PC
1230 Main Street, Suite 700
Columbia, SC 29201
Telephone: (803) 771-8900

Margaret M. Siller (BPR No. 039058)
msiller@maynardnexsen.com
MAYNARD NEXSEN PC
1201 Villa Place, Suite 103
Nashville, Tennessee 37212
Telephone: (629) 258-2253

Counsel for Defendant Bell Partners, Inc.

/s/ Matt T. Adamson

Matt T. Adamson
madamson@jpcclaw.com
JAMESON PEPPLER CANTU PLLC
801 Second Avenue, Suite 700
Seattle, WA 98104
Telephone: (206) 292-1994

*Counsel for Defendant B/T Washington, LLC
d/b/a Blanton Turner*

/s/ Ian Simmons

Ian Simmons
isimmons@omm.com
O'MELVENY & MYERS LLP
1625 Eye Street, NW
Washington, DC 20006
Telephone: (202) 383-5196

Stephen McIntyre
smcintyre@omm.com
O'MELVENY & MYERS LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000

*Counsel for Defendant BH Management
Services, LLC*

/s/ James D. Bragdon

James D. Bragdon
jbragdon@gejlaw.com
Sam Cowin
scowin@gejlaw.com
GALLAGHER EVELIUS & JONES LLP
218 N. Charles St., Suite 400
Baltimore, MD 21201
Telephone: (410) 727-7702

Philip A. Giordano (admitted *pro hac vice*)
philip.giordano@hugheshubbard.com
HUGHES HUBBARD & REED LLP
1775 I Street NW
Washington, DC 20007
Telephone: (202) 721-4776

*Counsel for Defendant
Bozzuto Management Company*

/s/ Michael F. Murray

Michael F. Murray
michaelmurray@paulhastings.com
PAUL HASTINGS LLP
2050 M Street, NW
Washington, DC 20036
Telephone: (202) 551-1730

Noah Pinegar
noahpinegar@paulhastings.com
PAUL HASTINGS LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 318-6057

*Counsel for Defendant CA Ventures Global
Services, LLC*

/s/ Yehudah L. Buchweitz

Yehudah L. Buchweitz
yehudah.buchweitz@weil.com
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, NY 10153
Telephone: (212) 310-8256

Jeff L. White
Jeff.white@weil.com
WEIL, GOTSHAL & MANGES LLP
2001 M Street, NW
Washington, DC 20036
Telephone: (202) 682-7059

*Counsel for Defendant Brookfield Properties
Multifamily LLC (Currently misnamed as
Brookfield Residential Properties LLC), as
manager for certain affiliated entities*

/s/ Lynn H. Murray

Lynn H. Murray
lhmmurray@shb.com
Maveric Ray Searle
msearle@shb.com
SHOOK, HARDY & BACON L.L.P.
111 S. Wacker Dr., Suite 4700
Chicago, IL 60606
Telephone: (312) 704-7766

Ryan Sandrock
rsandrock@shb.com
Shook, Hardy & Bacon L.L.P.
555 Mission Street, Suite 2300
San Francisco, CA 94105
Telephone: (415) 544-1944

Laurie A. Novion
lnovion@shb.com
SHOOK, HARDY & BACON L.L.P.
2555 Grand Blvd.
Kansas City, MO 64108
Telephone: (816) 559-2352

Counsel for Defendant Camden Property Trust

/s/ Marisa Secco Giles

Marisa Secco Giles
mgiles@velaw.com
VINSON & ELKINS LLP
200 West 6th Street, Suite 2500
Austin, Texas 78701
Telephone: (512) 542-8781

Jason M. Powers
jpowers@velaw.com
VINSON & ELKINS LLP
845 Texas Avenue, Suite 4700
Houston, Texas 77002
Telephone: (713) 758-2522

*Counsel for Defendant Campus Advantage,
Inc.*

/s/ J. Douglas Baldridge

J. Douglas Baldridge
jbaldridge@venable.com
Danielle R. Foley
drfoley@venable.com
VENABLE LLP
600 Massachusetts Avenue, NW
Washington, D.C. 20001
(202) 344-4703

*Counsel for Defendant CH Real Estate
Services, LLC*

/s/ Timothy R. Beyer

Timothy R. Beyer
tim.beyer@bclplaw.com
BRYAN CAVE LEIGHTON PAISNER LLP
1700 Lincoln Street, Suite 4100
Denver, CO 80203
Telephone: (303) 866-0481

Sarah Hartley
sarah.hartley@bclplaw.com
BRYAN CAVE LEIGHTON PAISNER LLP
1155 F Street, N.W.
Washington, DC 20004
Telephone: (303) 866-0363

*Counsel for Defendant Cardinal Group
Holdings LLC*

/s/ Benjamin R. Nagin

Benjamin R. Nagin
bnagin@sidley.com
SIDLEY AUSTIN LLP
787 Seventh Avenue
New York, NY 10019
Telephone: (212) 839-5300

*Counsel for Defendant ConAm Management
Corporation*

/s/ Ronald W. Breaux

Ronald W. Breaux
Ron.Breaux@haynesboone.com
Bradley W. Foster
Brad.Foster@haynesboone.com
HAYNES AND BOONE LLP
2323 Victory Ave., Suite 700
Dallas, Texas 75219
Telephone: (214) 651-5000
Fax: (214) 200-0376

Counsel for Defendant Conti Capital

/s/ Kenneth Reinker

Kenneth Reinker
kreinker@cgsh.com
CLEARY GOTTlieb STEEN & HAMILTON LLP
2112 Pennsylvania Avenue, NW
Washington, DC 20037
Telephone: (202) 974-1522

Joseph M. Kay
jkay@cgsh.com
CLEARY GOTTlieb STEEN & HAMILTON LLP
One Liberty Plaza
New York, NY 10006
Telephone: (212) 225-2745

*Counsel for Defendants Cushman &
Wakefield, Inc. and Pinnacle Property
Management Services*

/s/ Todd R. Seelman

Todd R. Seelman
todd.seelman@lewisbrisbois.com
Thomas L. Dyer
thomas.dyer@lewisbrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH LLP
1700 Lincoln Street, Suite 4000
Denver, CO 80203
Telephone: (720) 292-2002

Counsel for Defendant Cortland Partners, LLC

/s/ Ann MacDonald

Ann MacDonald
Ann.macdonald@afslaw.com
Barry Hyman
Barry.hyman@afslaw.com
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, IL 60606
Telephone: (312) 258-5500

*Counsel for Defendant CWS Apartment Homes,
LLC*

/s/ Bradley C. Weber

Bradley C. Weber (admitted *pro hac vice*)
bweber@lockelord.com
Locke Lord LLP
2200 Ross Avenue, Suite 2800
Dallas, TX 75201
Telephone: (214) 740-8497

*Counsel for Defendant Dayrise Residential,
LLC*

/s/ Samuel P. Funk

Samuel P. Funk
sfunk@simsfunk.com
Grace A. Fox
gfox@simsfunk.com
SIMS FUNK, PLC
3322 W. End Ave., Suite 200
Nashville, TN 37203
Telephone: (615) 292-9335

Counsel for Defendant D.P. Preiss Co., Inc.

/s/ Carl W. Hittinger

Carl W. Hittinger
chittinger@bakerlaw.com
Alyse F. Stach
astach@bakerlaw.com
BAKER & HOSTETLER LLP
1735 Market Street, Suite 3300
Philadelphia, PA 19103-7501
Telephone: (215) 568-3100

Stephen J. Zralek, BPR #018971
szralek@spencerfane.com
S. Chase Fann, BPR #036794
cfann@spencerfane.com
SPENCER FANE LLP
511 Union Street, Suite 1000
Nashville, TN 37219
Telephone: (615) 238-6300

Counsel for Defendant Equity Residential

/s/ Charles H. Samel

Charles H. Samel
charles.samel@stoel.com
Edward C. Duckers
ed.duckers@stoel.com
STOEL RIVES LLP
1 Montgomery Street, Suite 3230
San Francisco, CA 94104
Telephone: (415) 617-8900

George A. Guthrie
gguthrie@wilkefleury.com
WILKE FLEURY LLP
621 Capitol Mall, Suite 900
Sacramento, CA 95814
Telephone: (916) 441-2430

Counsel for Defendant FPI Management, Inc.

/s/ Leo D. Caseria

Leo D. Caseria
lcaseria@sheppardmullin.com
Helen C. Eckert
heckert@sheppardmullin.com
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue, NW, Suite 100
Washington, DC, 20006
Telephone: (202) 747-1925

/s/ Arman Oruc

Arman Oruc
aoruc@goodwinlaw.com
Goodwin Procter, LLP
1900 N Street, NW
Washington, DC 20036
Telephone: (202) 346-4000

*Counsel for Defendants Essex Property Trust,
Inc. and Essex Management Corporation*

/s/ Michael D. Bonanno

Michael D. Bonanno
mikebonanno@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN LLP
1300 I St. NW, Suite 900
Washington, DC 20005
Telephone: (202) 538-8225

Christopher Daniel Kercher (admitted *pro hac vice*)
christopherkercher@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN LLP
51 Madison Avenue, 22nd Floor,
New York, New York 10010
Telephone: (212) 849-7000

Andrew Gardella, Esq. (TN Bar #027247)
agardella@martintate.com
MARTIN, TATE, MORROW & MARSTON P.C.
315 Deaderick Street, Suite 1550
Nashville, TN 37238
Telephone: (615) 627-0668

Counsel for Defendant Highmark Residential, LLC

/s/ Cliff A. Wade

Cliff A. Wade
cliff.wade@bakerlopez.com
Chelsea L. Futrell
chelsea.futrell@bakerlopez.com
BAKER LOPEZ PLLC
5728 LBJ Freeway, Suite 150
Dallas, Texas 75240
Telephone: (469) 206-9384

Counsel for Defendant Knightvest Residential

/s/ Michael M. Maddigan

Michael M. Maddigan
michael.maddigan@hoganlovells.com
HOGAN LOVELLS US LLP
1999 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Telephone: (310) 785-4727

William L. Monts, III
william.monts@hoganlovells.com
Benjamin F. Holt
benjamin.holt@hoganlovells.com
HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, DC 20004
Telephone: (202) 637-6440

Joshua C. Cumby (BPR No. 37949)
joshua.cumby@arlaw.com
F. Laurens Brock (BPR No. 17666)
larry.brock@arlaw.com
Rocklan W. King, III (BPR No. 30643)
rocky.king@arlaw.com
ADAMS AND REESE LLP
1600 West End Avenue, Suite 1400
Nashville, Tennessee 37203
Telephone: (615) 259-1450

Counsel for Defendant Greystar Real Estate Partners, LLC

/s/ Gregory J. Casas

Gregory J. Casas (admitted *pro hac vice*)
casasg@gtlaw.com
Emily W. Collins (admitted *pro hac vice*)
Emily.Collins@gtlaw.com
GREENBERG TRAURIG, LLP
300 West 6th Street, Suite 2050
Austin, TX 78701-4052
Telephone: (512) 320-7200

Robert J. Herrington (admitted *pro hac vice*)
HerringtonR@gtlaw.com
GREENBERG TRAURIG, LLP
1840 Century Park East, Suite 1900
Los Angeles, CA 90067
Telephone: (310) 586-7700

Becky L. Caruso (admitted *pro hac vice*)
carusob@gtlaw.com
GREENBERG TRAURIG, LLP
500 Campus Drive, Suite 400
Florham Park, NJ 07932
Telephone: (973) 443-3252

/s/ Ryan T. Holt

Ryan T. Holt (No. 30191)
rholt@srvhlaw.com
Mark Alexander Carver (No. 36754)
acarver@srvhlaw.com
SHERRARD ROE VOIGT & HARBISON, PLC
150 Third Avenue South, Suite 1100
Nashville, Tennessee 37201
Tel. (615) 742-4200

*Counsel for Defendant Lincoln Property
Company*

/s/ John J. Sullivan

John J. Sullivan
jsullivan@cozen.com
COZEN O'CONNOR P.C.
3 WTC, 175 Greenwich St., 55th Floor
New York, NY 10007
Telephone: (212) 453-3729

*Counsel for Defendant Independence Realty
Trust, Inc.*

/s/ Eliot Turner

Eliot Turner
eliot.turner@nortonrosefulbright.com
NORTON ROSE FULBRIGHT US LLP
1301 McKinney, Suite 5100,
Houston, Texas 77010
Telephone: (713) 651-5151

*Counsel for Defendant Kairoi Management
LLC*

/s/ Michael W. Scarborough

Michael W. Scarborough (admitted *pro hac vice*)

mscarborough@velaw.com

Dylan I. Ballard (admitted *pro hac vice*)

dballard@velaw.com

VINSON & ELKINS LLP

555 Mission Street, Suite 2000

San Francisco, CA 94105

Telephone: (415) 979-6900

Counsel for Defendant Lantower Luxury Living LLC

/s/ Britt M. Miller

Britt M. Miller (admitted *pro hac vice*)

bmiller@mayerbrown.com

Daniel T. Fenske (admitted *pro hac vice*)

dfenske@mayerbrown.com

Matthew D. Provance (admitted *pro hac vice*)

mprovance@mayerbrown.com

MAYER BROWN LLP

71 South Wacker Drive

Chicago, IL 6006

Telephone: (312) 701-8663

Scott D. Carey (#15406)

scarey@bakerdonelson.com

Ryan P. Loofbourrow (#33414)

rloofbourrow@bakerdonelson.com

BAKER, DONELSON, BEARMAN, CALDWELL &
BERKOWITZ, P.C.

1600 West End Avenue, Suite 2000

Nashville, TN 37203

Telephone: (615) 726-5600

Counsel for Defendant Mid-America Apartment Communities, Inc.

/s/ Karan H. Safran

Karen H. Safran

ksafran@goodspeedmerrill.com

Rob Hunger

rhunger@goodspeedmerrill.com

GOODSPEED MERRILL

9605 South Kingston Court, Suite 200

Englewood, CO 80112

Telephone: (720) 943-9033

Counsel for Defendant Lyon Management Group, Inc.

/s/ Jeffrey C. Bank

Jeffrey C. Bank
jbank@wsgr.com
WILSON SONSINI GOODRICH & ROSATI PC
1700 K Street NW, Fifth Floor
Washington, DC 20006
Telephone: (202) 973-8800

*Counsel for Defendant Morgan Properties
Management Company, LLC and Morgan
Properties, LP*

/s/ Richard P. Sybert

Richard P. Sybert (WSBA No. 8357)
rsybert@grsm.com
GORDON REES SCULLY MANSUKHANI
701 Fifth Avenue, Suite 2100
Seattle, WA 98104
Telephone: (206) 321-5222

Counsel for Defendant Rose Associates Inc.

/s/ Judith A. Zahid

Judith A. Zahid (admitted *pro hac vice*)
jzahid@zellelaw.com
Heather T. Rankie (admitted *pro hac vice*)
hrankie@zellelaw.com
ZELLE LLP
555 12th Street, Suite 1230
Oakland, CA 94607
Telephone: (415) 633-1916

*Counsel for Defendant Prometheus Real Estate
Group, Inc.*

/s/ Valentine Hoy

Valentine Hoy
vhoy@allenmatkins.com
Scott Perlin
sperlin@allenmatkins.com
ALLEN MATKINS LECK GAMBLE MALLORY &
NATSIS
600 West Broadway, 27th Floor
San Diego, CA 92101
Telephone: (619) 233-1155

Patrick E. Breen
pbreen@allenmatkins.com
ALLEN MATKINS LECK GAMBLE MALLORY &
NATSIS
865 South Figueroa Street, Suite 2800
Los Angeles, CA 90017
Telephone: (213) 622-5555

*Counsel for Defendant
Sares Regis Group Operating, Inc.*

/s/ David A. Walton

David A. Walton
dwalton@bellnunnally.com
Troy Lee (T.J.) Hales
thales@bellnunnally.com
BELL NUNNALLY & MARTIN, LLP
2323 Ross Avenue, Suite 1900
Dallas, TX 75201

*Counsel for Defendant RPM Living, LLC and
The Morgan Group, Inc.*

/s/ Jose Dino Vasquez

Jose Dino Vasquez
dvasquez@karrtuttle.com
Jason Hoeft
jhoeft@karrtuttle.com
KARR TUTTLE CAMPBELL
701 Fifth Avenue, Suite 3300
Seattle, WA 98104
Telephone: (206) 223-1313

Counsel for Defendant Security Properties, Inc.

/s/ Diane R. Hazel

Diane R. Hazel
dhazel@foley.com
FOLEY & LARDNER LLP
1400 16th Street, Suite 200
Denver, CO 80202
Telephone: (720) 437-2000

Elizabeth A. N. Haas (admitted *pro hac vice*)
ehaas@foley.com
Ian Hampton (admitted *pro hac vice*)
ihampton@foley.com
FOLEY & LARDNER LLP
777 East Wisconsin Avenue
Milwaukee, WI 53202
Telephone: (414) 271-2400

*Counsel for Defendant Sherman Associates,
Inc.*

/s/ Charles M. Wallen

Edward J. Sackman
nsackman@bernsteinshur.com
Charles M. Wallen
cwallen@bernsteinshur.com
BERNSTEIN, SHUR, SAWYER & NELSON P.A.
North Commercial Street, Suite 108
P.O. Box 1120
Manchester, NH 03105-1120
Telephone: (603) 623-8700

*Counsel for Defendant SHP Management
Corp.*

/s/ Brent Justus

Brent Justus
bjustus@mcguirewoods.com
Nick Giles
ngiles@mcguirewoods.com
MCGUIREWOODS LLP
800 East Canal Street
Richmond, VA 23219-3916
Telephone: (804) 775-1000

Counsel for Defendant Simpson Property Group, LLC (currently misnamed as Simpson Property Group, LLP)

/s/ Yonaton Rosenzweig

Yonaton Rosenzweig
yonirosenzweig@dwt.com
DAVIS WRIGHT TREMAINE LLP
865 S. Figueroa Street, Suite 2400
Los Angeles, CA 90017

Fred B. Burnside
fredburnside@dwt.com
MaryAnn T. Almeida
maryannalmeida@dwt.com
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104
Telephone: (206) 757-8016

Counsel for Defendants The Michaels Organization, LLC, Interstate Realty Management Company, and Mission Rock Residential, LLC

/s/ Andrew Harris

Andrew Harris
Andrew.Harris@Levittboccio.com
LEVITT & BOCCIO, LLP
423 West 55th Street
New York, NY 10019
Telephone: (212) 801-1104

Counsel for The Related Companies, Inc.

/s/ Benjamin I. VandenBerghe

Benjamin I. VandenBerghe
biv@montgomerypurdue.com
Kaya R. Lurie
klurie@montgomerypurdue.com
MONTGOMERY PURSUE PLLC
701 Fifth Avenue, Suite 5500
Seattle, Washington 98104-7096

Counsel for Defendant Thrive Communities Management, LLC

/s/ David D. Cross

David D. Cross (admitted *pro hac vice*)
dcross@mofo.com
Jeffrey A. Jaeckel (admitted *pro hac vice*)
jjaeckel@mofo.com
Robert W. Manoso (admitted *pro hac vice*)
rmanoso@mofo.com
Sonja Swanbeck (admitted *pro hac vice*)
sswanbeck@mofo.com
MORRISON & FOERSTER LLP
2100 L Street, NW, Suite 900
Washington, D.C., 20037
Telephone: (202) 887-1500

Eliot A. Adelson (admitted *pro hac vice*)
eadelson@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105
Telephone: (415) 268-7000

/s/ Joshua L. Burgener

Joshua L. Burgener
jburgener@dickinsonwright.com
DICKINSON WRIGHT PLLC
424 Church Street, Suite 800
Nashville, TN 37219
Telephone: (615) 620-1757

Counsel for Defendant UDR, Inc.

/s/ Evan Fray-Witzer

Evan Fray-Witzer
Evan@CFWLegal.com
CIAMPA FRAY-WITZER, LLP
20 Park Plaza, Suite 505
Boston, MA 02116
Telephone: 617-426-0000

*Counsel for Defendants WinnCompanies LLC,
and WinnResidential Manager Corp.*

/s/ Craig Seebald

Jessalyn H. Zeigler
jzeigler@bassberry.com
BASS, BERRY & SIMS, PLC
150 Third Avenue South
Suite 2800
Nashville, TN 37201
Telephone: (615) 742-6200

Craig P. Seebald (admitted *pro hac vice*)
cseebald@velaw.com
Stephen M. Medlock (admitted *pro hac vice*)
smedlock@velaw.com
VINSON & ELKINS LLP
2200 Pennsylvania Ave., N.W.
Suite 500 West
Washington, D.C. 20037
Telephone: (202) 639-6500

Christopher W. James (admitted *pro hac vice*)
cjames@velaw.com
VINSON & ELKINS LLP
555 Mission Street
Suite 2000
San Francisco, CA 94105
Telephone: (415) 979-6900

*Counsel for Defendant Windsor Property
Management Company*

/s/ Ferdose al-Taie

Ferdose al-Taie (admitted *pro hac vice*)

faltaie@bakerdonelson.com

BAKER, DONELSON, BEARMAN CALDWELL &
BERKOWITZ, P.C.

956 Sherry Lane, 20th Floor

Dallas, TX 75225

Telephone: (214) 391-7210

Christopher E. Thorsen (BPR # 21049)

cthorsen@bakerdonelson.com

BAKER, DONELSON, BEARMAN CALDWELL &
BERKOWITZ, P.C.

Baker Donelson Center, Suite 800

211 Commerce Street

Nashville, TN 37201

Telephone: (615) 726-5600

Counsel for Defendant ZRS Management, LLC

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered on the CM/ECF system.

DATED this 7th day of June, 2023.

/s/ Jay Srinivasan